

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 03 2021

IN THE UNITED STATES DISTRICT COURT

MITCHELL R. ELFERS
CLERK

CMP

FOR THE DISTRICT OF NEW MEXICO

Tatyana Evgenievna Drevaleva

Plaintiff

Case No. 1:21-cv-00761-LF

v.

- 1) The U.S. Department of Veterans Affairs
- 2) Mr. Denis Richard McDonough as a Secretary of
the U.S. Department of Veterans Affairs

Defendants

**MEET AND CONFER WITH ASSISTANT U.S. ATTORNEY MS. CHRISTINE LYMAN
REGARDING MY MOTIONS THAT I ALREADY FILED IN CASE No. 1:21-cv-00761-
WJ-JFR AT THE U.S. DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO.**

Plaintiff Tatyana Drevaleva met and conferred with Assistant U.S. Attorney Ms. Christine Lyman regarding my Motions that I already filed at the U.S. District Court for the District of New Mexico in case No. 1;21-cv-00761-WJ-JFR.

I followed the Civil Local Rules for the U.S. District Court for the District of New Mexico, Rule **7.1 Writing Requirement; Opposition.**

(a) A motion must be in writing and state with particularity the grounds and the relief sought. A party may adopt by reference another party's motion or other paper by making specific reference to the filing date and docket number of such motion or other paper. **Movant must determine whether a motion is opposed, and a motion that omits recitation of a good-faith request for concurrence may be summarily denied.** In *pro se inmate* cases, movant need not determine whether the motion is opposed. An attorney's motion to withdraw from representation of a party must follow the procedure provided in D.N.M.LR-Civ. 83.8.”

Because my case No. 1:21-cv-00761-WJ-JFR is not a Pro Se **inmate** case, I met and conferred with Assistant U.S. Attorney Ms. Christine Lyman regarding whether or not she is going to oppose my Motions.

Here is what Ms. Lyman wrote (Exhibit 350),

“Defendant **opposes** the following motions and will be filing responses to them:

458 MOTION FOR AN EXPEDITED JURY TRIAL THAT IS CONSOLIDATED WITH A HEARING OF MY MOTION FOR PERMANENT INJUNCTION, the F.R.C.P. Rules 38 and 39; 42 U.S.C. § 1981a(c)(1), 42 U.S.C. § 2000e-5(f)(2), *Young v. UPS*, 135 S. Ct. 1338 (2015.)

464 FIRST MOTION FOR PARTIAL SUMMARY JUDGMENT, THE F.R.C.P. RULE 56, MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION; PROPOSED ORDER.

Defendant **does not take a position** on the following motions and will not be filing responses to them:

456 MOTION for Permission for the Electronic Case Filing

460 PLEASE TAKE NOTICE that this case has been reassigned to Chief United States District Judge William P. Johnson as the trial judge.

463 MOTION TO APPOINT AN ATTORNEY IN A FORMA PAUPERIS CASE, 28 U.S.C. § 1915(e)(1), MOTION TO APPOINT AN ATTORNEY IN A TITLE VII CASE, 42 U.S.C. § 2000e-5(f)(1), MOTION FOR A MANDATORY APPOINTMENT OF A COUNSEL FOR BASIC NEEDS, THE CALIFORNIA GOVERNMENT CODE SECTION 68651, MOTION TO APPOINT AN ATTORNEY, SECTION 60 OF THE NEW MEXICO INDIGENT DEFENSE ACT [31-16-3 NMSA 1978.]

No. 465 APPLICATION TO CERTIFY THAT MY LAWSUIT No. 1:21-cv-00761-WPJ IS OF GENERAL PUBLIC IMPORTANCE, AND APPLICATION FOR PERMISSION FOR BOTH THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (the EEOC) AND THE ATTORNEY

GENERAL OF THE UNITED STATES OF AMERICA TO INTERVENE IN
THE CIVIL ACTION No. 1:21-cv-00761-WPJ, 42 U.S.C. § 2000e-5(f)(1.)

I declare under the penalty of perjury and under the Federal laws that all above is true and correct. Executed at San Francisco, CA on August 26, 2021.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Tatyana Drevaeva', written in a cursive style.

s/ Tatyana Drevaeva

Plaintiff Pro Se

Date: August 26, 2021.

Exhibit 350.

My Meet and Confer session with Ms. Lyman regarding whether or not she is going to oppose my Motions, August 26, 2021.



Tatyana Drevaleva <tdrevaleva@gmail.com>

Please, let me know whether you are going to oppose my Motions in case No. 1:21-cv-00761-WJ-JFR.

Lyman, Christine (USANM) <Christine.Lyman@usdoj.gov>
To: Tatyana Drevaleva <tdrevaleva@gmail.com>

Thu, Aug 26, 2021 at 12:57 PM

Hi Ms. Drevaleva,

Thank you for reaching out for the Defendant's position on your motions.

Defendant opposes the following motions and will be filing responses to them:

- # 458
- # 464

Defendant does not take a position on the following motions and will not be filing responses to them:

- # 456
- # 457
- # 463

Please let me know if I have missed any.

Please direct all correspondence relating to this case to me and not AUSA Zack, as she is no longer assigned to this case. I believe she is still handling the cases that are still pending in the Northern District of California.

Best,

Christine

[Quoted text hidden]



Tatyana Drevaleva <tdrevaleva@gmail.com>

Also, you omitted No. 460 - a Motion to Appoint an Attorney. Case No. 1;21-cv-00761-WJ-JFR.

Lyman, Christine (USANM) <Christine.Lyman@usdoj.gov>
To: Tatyana Drevaleva <tdrevaleva@gmail.com>

Thu, Aug 26, 2021 at 1:56 PM

Hi Ms. Drevaleva,

That is correct. We will not respond to # 460. We will probably oppose # 465. I have to double check with my supervisor but can let you know for sure tomorrow.

Best,

Christine

[Quoted text hidden]



Tatyana Drevaleva <tdrevaleva@gmail.com>

Meet and confer, case No. 1;21-cv-00761-WJ-JFR.

Lyman, Christine (USANM) <Christine.Lyman@usdoj.gov>

Thu, Aug 26, 2021 at 2:26 PM

To: Tatyana Drevaleva <tdrevaleva@gmail.com>

Hi Ms. Drevaleva,

Defendant does not take a position and will not respond to #465 as well.

Best,
Christine

Sent from my iPhone

On Aug 26, 2021, at 2:30 PM, Tatyana Drevaleva <tdrevaleva@gmail.com> wrote:

[Quoted text hidden]

PROOF OF SERVICE.

I am Tatyana Drevalova, and I am a Pro Se Plaintiff in case No. **1:21-cv-00761-WJ-JFR**.

On August 26, 2021, I served Assistant U.S. Attorney for the Office of the U.S. Attorney for the District of New Mexico Ms. Christine Lyman electronically with the following documents (case No. **1:21-cv-00761-WPJ**) pursuant to the California Senate Bill No. 1146 that mandates the represented Parties to accept the electronic service during the COVID-19 pandemy:

MEET AND CONFER WITH ASSISTANT U.S. ATTORNEY MS. CHRISTINE LYMAN REGARDING MY MOTIONS THAT I ALREADY FILED IN CASE No. 1:21-cv-00761-WJ-JFR AT THE U.S. DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO.

Exhibit 350.

On August 26, 2021, I emailed the mentioned above documents from my email address tdrevalova@gmail.com to Ms. Lyman's email address Christine.Lyman@usdoj.gov

I declare under the penalty of perjury and under the Federal laws that all foregoing is true and correct. Executed at San Francisco, CA on August 26, 2021.

Respectfully submitted,



s/ Tatyana Drevalova

Plaintiff Pro Se

Date: August 26, 2021.